

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff

v.

STEPHEN G. DONAHUE, and  
DONAHUE SECURITIES, INC.,

Defendants

Case No. 1:01-cv-116  
(Chief Judge Sandra S. Beckwith)

NINTH AND FINAL MOTION TO  
APPROVE PAYMENT OF  
FEES AND REIMBURSEMENT  
OF EXPENSES TO RECEIVER

Comes now H. Patrick Weber as receiver for Stephen G. Donahue and formerly also for S.G. Donahue & Company, Inc. pursuant to order entered March 7, 2001 (document 12) (the "Receiver") and moves the Court for entry of an order in the form of that submitted herewith approving payment of fees for legal services performed by the Receiver and expenses incurred incident thereto during the period from November 30, 2005 through December 13, 2007 in the amount of \$7,481.08 and \$3,000.00 for fees and expenses to be incurred to perform all further work necessary to complete all matters in connection with the receivership, including preparing and filing final tax returns, that the same be paid out of funds now in the hands of the Receiver on the grounds set forth in the memorandum attached hereto.

Respectfully submitted,

/s/ Richard Boydston  
Richard Boydston (22360)  
Attorney for H. Patrick Weber, Receiver  
Greenebaum Doll & McDonald PLLC  
255 East Fifth Street #2800  
Cincinnati, OH 45202-4728  
513.455.7663  
513.762.7963 (fax)  
rb2@gdm.com

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

SECURITIES AND EXCHANGE	:	Case No. 1:01-cv-116
COMMISSION,	:	(Chief Judge Sandra S. Beckwith)
	:	
Plaintiff,	:	
	:	
v.	:	MEMORANDUM IN SUPPORT
	:	OF NINTH AND FINAL MOTION TO
STEPHEN G. DONAHUE, and	:	APPROVE PAYMENT OF FEES
DONAHUE SECURITIES, INC.,	:	AND REIMBURSEMENT OF
	:	<u>EXPENSES TO RECEIVER</u>
Defendants.	:	

Michael R. Barrett (the "Receiver") was appointed receiver for S.G. Donahue & Company, Inc. ("SGD & Co.") and Stephen G. Donahue pursuant to order entered March 7, 2001 (document 12) in this action. H. Patrick Weber was substituted for Mr. Barrett as receiver by order entered May 3, 2006 (document 121).

The Receiver has incurred fees and expenses in the total amount of \$7,481.08 during the period November 30, 2005 through December 13, 2007. A standard form invoice for those fees and expenses is attached hereto.

In addition, the Receiver anticipates that the fees and expenses to be incurred by him to perform all further work necessary to complete all matters in connection with the receivership, including filing and preparing final tax returns, will total no more than \$3,000.00.

The Receiver respectfully represents said fees and expenses are reasonable and necessary

expenses of the receivership and should be approved and promptly paid out of funds collected by Receiver.

Respectfully submitted,

/s/ Richard Boydston

Richard Boydston (22360)  
Attorney for H. Patrick Weber, Receiver  
Greenebaum Doll & McDonald PLLC  
255 East Fifth Street #2800  
Cincinnati, OH 45202-4728  
513.455.7663  
513.762.7963 (fax)  
rb2@gdm.com

CERTIFICATE OF SERVICE

I certify that copies of the foregoing motion and memorandum along with the proposed order granting said motion were served electronically pursuant to the CM/ECF procedures established by the Court and by ordinary United States mail, first class postage prepaid, on December 14, 2007.

s/ Richard Boydston

Anne C. McKinley, Esq.  
U.S. Securities and Exchange Commission  
Midwest Regional Office  
175 West Jackson Boulevard, Suite 900  
Chicago, IL 60604

Robert A. Goering, Esq.  
Attorney for Stephen G. Donahue  
Goering & Goering  
220 West Third Street  
Cincinnati, OH 45202

Glenn V. Whitaker, Esq.  
Attorney for Stephen G. Donahue  
Vorys Sater Seymour & Pease LLP  
Suite 2100, Atrium Two  
221 E. Fourth Street  
Cincinnati, OH 45201-0236

Gerald L. Baldwin, Esq.  
Attorney for the SIPC Trustee  
Frost Brown Todd, LLC  
2500 PNC Center  
201 E. Fifth Street  
Cincinnati, OH 45202-4182

Donald J. Rafferty, Esq.  
Attorney for Linda A. Donahue  
Cohen Todd Kite & Stanford, LLC  
250 East Fifth Street, Suite 1200  
Cincinnati, OH 45202

J. Michael Debbeler, Esq.  
Attorney for The Provident Bank  
Graydon Head & Ritchey  
1900 Fifth Third Center, 511 Walnut Street  
Cincinnati, OH 45202

Barrett & Weber  
 500 Fourth & Walnut Centre  
 105 East Fourth Street  
 Cincinnati, OH 45202-4015  
 Telephone: (513) 721-2120

Invoice submitted to:  
 United States District Court  
 c/o H. Patrick Weber, Receiver  
 500 Fourth & Walnut Centre  
 105 E. Fourth Street  
 Cincinnati OH 45202

December 13, 2007

Invoice #32463

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>Stephen G. Donahue &amp; Donahue Securities</u>		
2/21/2006 HPW Confer with Rick Boydston re preparation of tax return.	0.25 220.00/hr	55.00
2/22/2006 CBK Draft 2005 income tax return.	1.00 125.00/hr	125.00
CMD Close 2005 records for tax preparation purposes; intraoffice conference.	2.50 60.00/hr	150.00
2/23/2006 CBK Finalize returns.	0.25 125.00/hr	31.25
HPW Review and revise federal and Ohio income tax returns; review and execute revised income tax returns.	0.50 220.00/hr	110.00
4/4/2006 HPW Confer with Rick Boydston re request from distributee as to tax information; confer with Ed Otten re taxability of return of partial surrender charge.	0.25 220.00/hr	55.00
5/1/2006 HPW Confer with Rick Boydston re motion to transfer appointment of receiver; review proposed documentation.	0.25 220.00/hr	55.00

United States District Court

Page 2

		<u>Hrs/Rate</u>	<u>Amount</u>
5/2/2006	HPW Confer re transfer of receiver position; discuss need to transfer signature authority on receivership checkbook; discuss final steps to conclude receivership.	0.25 220.00/hr	55.00
6/7/2006	CBK Reconcile Huntington Bank account; prepare deposit to account; update schedule of receipts; make deposit to Huntington.	0.50 145.00/hr	72.50
6/13/2006	CBK Deposit to estate checking account; intra-office conference re closing receivership.	0.25 145.00/hr	36.25
	HPW Confer with Rick Boydston re planning to close Donahue Receivership; discuss payment of final bills and filing of final tax returns.	0.50 235.00/hr	117.50
6/14/2006	HPW Confer with Rick Boydston re concluded receivership activities and assignment of future receipts to PBGC.	0.25 235.00/hr	58.75
7/19/2006	CBK Reconcile checking account.	0.25 145.00/hr	36.25
7/25/2006	CBK Deposit to account.	0.25 145.00/hr	36.25
8/10/2006	CBK Deposit to checking.	0.10 145.00/hr	14.50
	HPW Confer with Rick Boydston re steps to be taken to terminate receivership; discuss assignment of remaining payments to SIPC; confer re Columbus Life request for tax ID number for receivership.	0.50 235.00/hr	117.50
8/23/2006	CBK Deposit to checking account.	0.10 145.00/hr	14.50
9/19/2006	CBK Deposit to checking account.	0.10 145.00/hr	14.50
10/4/2006	CBK Deposit to checking account.	0.25 145.00/hr	36.25
11/20/2006	CBK Deposit to checking account.	0.25 145.00/hr	36.25
12/26/2006	CBK Reconcile Huntington account; preparation of Receipts and Disbursements schedule; begin draft of final Form 1041; preparation of invoice for time and expenses; email to Rick Boydston.	2.00 145.00/hr	290.00
12/29/2006	HPW Review documents prepared by Rick Boydston re concluding administration of receivership.	0.25 235.00/hr	58.75

United States District Court

Page 3

		<u>Hrs/Rate</u>	<u>Amount</u>
1/5/2007	CBK Review R Boydston's materials.	1.00 145.00/hr	145.00
1/24/2007	CBK Draft Schedule of Receipts and Disbursements for Eighth Account.	4.00 145.00/hr	580.00
1/25/2007	HPW Review Ninth Motion to Approve Payment of Fees and Reimbursement of Expenses to Receiver; review Eighth Accounting.	2.50 235.00/hr	587.50
	CBK Draft Records of Deposit; draft Purpose Schedule; draft Ninth and Final Motion to Approve Payment of Fees and Reimbursement of Expenses to Receiver; draft Memorandum in Support of Ninth and Final Motion to Approve Payment of Fees and Reimbursement of Expenses to Receiver; draft Order Granting Ninth and Final Motion to Approve Payment of Fees and Reimbursement of Expenses to Receiver; draft Receiver's Eighth Interim and Final Report and Motion to Approve the Same and to Discharge Receiver.	10.00 145.00/hr	1,450.00
1/26/2007	HPW Review Form 1041.	1.00 235.00/hr	235.00
	CBK Finalize documents; intra-office conference; email to Rick Boydston, Esq.	2.50 145.00/hr	362.50
	HPW Review final and distributive account; discuss revisions to account; discuss need to list disbursements for all distributions; discuss itemization of sale of assets.	0.50 235.00/hr	117.50
	CBK Draft Form 1041 for Receiver.	2.00 145.00/hr	290.00
1/29/2007	CBK Intra-office conference; email to Rick Boydston re status.	0.25 145.00/hr	36.25
3/7/2007	CBK Intra-office conference; email to R Boydston.	0.25 145.00/hr	36.25
5/10/2007	CBK Telephone call with Rick Boydston re outstanding checks and need to redo documents through 5/31/07.	0.10 145.00/hr	14.50
5/11/2007	CBK Deposit to account; update schedules.	0.50 145.00/hr	72.50
5/14/2007	CBK Deposit to account	0.25 145.00/hr	36.25
5/23/2007	CBK Deposit to account.	0.25 145.00/hr	36.25

United States District Court

Page 4

	<u>Hrs/Rate</u>	<u>Amount</u>
7/13/2007 CBK Deposit to estate checking account.	0.25 145.00/hr	36.25
7/24/2007 CBK Deposit to account.	0.25 145.00/hr	36.25
8/17/2007 CBK Deposit to checking.	0.25 160.00/hr	40.00
8/23/2007 CBK Deposit to checking account.	0.10 160.00/hr	16.00
9/19/2007 CBK Deposit to account.	0.10 160.00/hr	16.00
10/3/2007 CBK Deposit to account; reconcile checking account.	0.25 160.00/hr	40.00
12/6/2007 HPW Confer with Rick Boydston regarding filing final receivership report.	0.25 250.00/hr	62.50
12/7/2007 CBK Deposit to checking.	0.10 160.00/hr	16.00
12/11/2007 HPW Confer with Rick Boydston to discuss preparation of Receiver's Final Report of Insurance Payments.	0.75 250.00/hr	187.50
CBK Meet with R Boydston re final account.	0.50 160.00/hr	80.00
CBK Update list of Receipts and Purpose schedule.	3.00 160.00/hr	480.00
12/13/2007 CBK Finalize update to date list of receipts and disbursements for attachment to final report.	2.00 160.00/hr	320.00
 SUBTOTAL:	 [ 43.70	 6,906.00]
<u>Tax</u>		
4/11/2007 CBK Draft Form 1041; finalize same; review bank statements; update files.	1.25 145.00/hr	181.25
 SUBTOTAL:	 [ 1.25	 181.25]
 For professional services rendered	 44.95	 \$7,087.25

United States District Court

Page 5

## Additional Charges :

AmountStephen G. Donahue & Donahue Securities

12/21/2005 Duplication.	0.70
2/21/2006 Duplication.	2.20
2/22/2006 Computax processing fee.	40.00
2/24/2006 Postage.	1.02
4/28/2006 Duplication.	1.20
1/25/2007 Computax processing fee for 2006 Form 1041.	40.00

SUBTOTAL:

[ 85.12]

Tax

4/11/2007 Ohio Treasurer of State - Form IT1041.	13.00
United States Treasury - Form 1041.	294.69
Postage.	1.02

SUBTOTAL:

[ 308.71]

Total costs

\$393.83

Total amount of this bill

\$7,481.08

Balance due

\$7,481.08

## Attorney Summary

Name	Hours	Rate	Amount
Chris M. Dougherty	2.50	60.00	\$150.00
Christine B. Kauffmann	6.30	160.00	\$1,008.00
Christine B. Kauffmann	26.90	145.00	\$3,900.50
Christine B. Kauffmann	1.25	125.00	\$156.25
H. Patrick Weber	1.00	250.00	\$250.00
H. Patrick Weber	5.50	235.00	\$1,292.50
H. Patrick Weber	1.50	220.00	\$330.00